**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner of Patents and Trademarks

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on _14 June 2001_ .

2a) ☒ This action is **FINAL**.  2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) _1-8,10,12-28,30-58 and 60-64_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-8,10,12-28,30-58 and 60-64_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _09 November 1998_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☒ The proposed drawing correction filed on _03 August 2000_ is: a)☒ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)       4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .      6) ☐ Other: _____ .

## DETAILED ACTION

### *Response to Arguments*

1.      Applicant's amendments to the claims overcome the 35 USC § 101 rejection outlined in the previous Office Action and, therefore, the rejection in the previous Office Action is hereby withdrawn.

2.      Applicant's arguments filed 14 June 2001 have been fully considered but they are not persuasive.

3.      Applicant argues that all the claims in the application as amended now reflect that the transaction process relates to a property unit and that the recovery process relates not only to the recovery of the property unit but also the disposal of the property unit after recovery.  With respect to claim 27, Examiner respectfully disagrees and notes that there are currently no limitations included in this claim with respect to recovery and disposal of a property unit.  With respect to claims 24 and 60, Examiner notes that there are no limitations included in this claim with respect to disposal of a property unit.  In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., recovery and disposal of a property unit) are not recited in the rejected claim(s).  Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.  See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

4.      Applicant argues that the Aleia reference does not relate to property units and is strictly concerned with debt collection.  Applicant further asserts that a major part of the present invention is the recovery and disposal of the property unit which applicant asserts is not disclosed in the prior art.  Examiner agrees that the Aleia reference discloses recovery of financial resources, however, does not disclose that the resources are related to property.  Examiner notes that Aleia alone was not relied upon in teaching the recovery of a property unit specifically.  The rejection was based on a combination of Aleia and Ocwen wherein Ocwen teaches an electronic workflow management system that enables electronic communications with service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate

transaction or loan or foreclose on a loan saving the user time and money. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See In re Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); In re Merck & Co., 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

5.     Applicant further argues that the Ocwen reference is not pertinent because it does not disclose systems the same as those claimed, i.e. systems related to recovery and then disposal of property units, and Applicant argues that Ocwen does not disclose systems which were in place as of the 12 May 1998 publication date. Examiner notes that in each of the system claims of applicant's invention, the system is made up of a general purpose computer including a memory, a CPU, and input/output device, a data repository coupled to the general purpose computer and a computer executable means for carrying out functional steps. Examiner asserts that both Aleia and Ocwen teach a software based system and Examiner takes Official Notice that it was well known at the time of Applicant's invention that a typical software based system is made up of these elements. Examiner further asserts that Ocwen teaches a software based system which is used to enable electronic communications with service providers to facilitate the recovery of property including default management, foreclosure and disposal of the property after it has been recovered through REO management. Ocwen further indicated that their systems and products (default management software) were currently available and that the fully integrated technology with the products of the recently acquired software companies will be available by the second half of 1998. Thus, the teachings of Ocwen provide evidence that the technology for a software based system to provide default management and REO management through workflow techniques to the real estate community was anticipated in early 1998.

6.     Applicant statements that Applicant's system was clearly invented by the Applicant well prior to the date of the Ocwen publication have not been given any weight. This statement is insufficient to establish a conception of the invention prior to the effective date of the Ocwen reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a

problem. The requisite means themselves and their interaction must also be comprehended. See

*Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). Examiner notes that Applicant's

date of invention is that of the filing date of the application (09 November 1998), unless declared

otherwise through an Affidavit or Declaration under 37 CFR 1.131.

7.      The rejection of the claims have been updated according to the discussion above and are

included below for applicant's convenience.


## *Drawings*

8.      The corrected or substitute drawings were received on 03 August 2000.  These proposed drawing

corrections are approved.

9.      The drawings filed on 9 November 1998 are subject to correction of the informalities indicated on

the "Notice of Draftperson's Patent Drawing Review," PTO-948 forwarded as part of paper number three.

In order to avoid abandonment of this application, correction is required.

10.      A proposed drawing correction or corrected drawings are required in reply to the Office action to

avoid abandonment of the application.  The objection to the drawings will not be held in abeyance.


## *Claim Rejections - 35 USC § 102*

11.      The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for

the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in
> the United States before the invention thereof by the applicant for patent, or on an international
> application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section
> 371(c) of this title before the invention thereof by the applicant for patent.

12.      Claim 27 is rejected under 35 U.S.C. 102(e) as being anticipated by *Aleia et al*, U.S. Patent No.

5,991,733.

As per claim 27, *Aleia et al* discloses a transaction processing system comprising a general

purpose computer including a memory, CPU and an input/output device (Col. 6, lines 11-23), a data

repository coupled to the computer (Col. 6, lines 24-39 and Col. 7, lines 41-51), wherein the memory of the computer includes computer executable means (Col. 7, lines 6-17) to receive transaction information for a transaction and store the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicate a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12), initiate a recovery process for the transaction involving services by be provided by multiple service providers (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3), receive reporting information from the multiple service providers electronically over a network (Col. 7, lines 18-31; Col. 12, lines 40-55) and providing predetermined business reports generated as a function of the transaction information stored in the data repository (Col. 12, lines 40-54).

## Claim Rejections - 35 USC § 103

13.     The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14.     Claims 1, 3-8, 10, 12-21, 23-26, 28, 30-34, 41-52, 54-58, 60-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733 in view of Ocwen Financial Corporation, "Ocwen Financial Corporation Forms Technology Subsidiary to Provide Software to Mortgage and Real Estate Industries" [hereinafter referred to as *Ocwen*].

As per **Claims 1, 55, 57 and 61**, *Aleia et al* discloses a method for transaction processing comprising the steps of receiving transaction information for a transaction and storing the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicating a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12), initiating a recovery process for the transaction (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3) and providing automated coordination

of the recovery process by computer means using transaction information stored in the central repository. Furthermore, Aleia discloses tailoring and directing the specific actions to be taken by external resources, through the seamless electronic link which provides a dynamic response between internal and external resources though electronic communication and data transfer (Col. 7, lines 22-28) and the capability to import data from off-site locations to the present system database in a cut and paste environment (Col. 12, lines 47-52 and Col. 13, lines 34-35). Although *Aleia et al* does not specifically state that the external resource is updating the information in the central repository, the Examiner takes Official Notice that it is old and well known in the art that various methods could be used to import data to a central database from a remote location and it would have been obvious to one of ordinary skill in the art to allow an individual at a remote location to access the central database for the purpose of updating the information. The motivation for allowing an individual at a remote location to access and update the information in a local repository is provided by Aleia by indicating the present inventions usefulness is optimizing the actions of vendors, collection agencies and counsel through the seamless electronic link between internal and external resources through electronic communication and data transfer.

*Aleia et al* further fail to specifically disclose wherein the transaction is associated with a property unit including the recovery of the property unit and disposal of the property unit after recovery thereof. *Ocwen* discloses an electronic workflow management system that enables electronic communications with service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a loan saving the user time and money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include the recovery of not only receivables such as insurance accounts or other types of receivables such as mortgage and construction loans, but also include the foreclosure, default management, recovery and disposal of a property unit or personal property in view of the teachings of *Ocwen*. Examiner also takes Official Notice that it would have been obvious to one of ordinary skill in the art that REO management

includes managing the steps necessary to dispose of a property unit. One would have been motivated to integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property and manage the REO property as taught by Ocwen.

As per **Claims 3, 28, 30-32, 56, 58 and 62-63**, *Aleia et al* fail to specifically disclose wherein the transaction is associated with a property unit, the transaction information includes information regarding the property unit and the recovery process includes one or more actions specific to the property unit. *Ocwen* discloses an electronic workflow management system that enables electronic communications with service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a loan saving the user time and money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include transactions associated with property units as well as receivables such as insurance accounts or other types of receivables such as mortgage and construction loans in view of the teachings of *Ocwen*. One would have been motivated to integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property as taught by Ocwen.

As per **Claims 4-6 and 24-26**, *Aleia et al* discloses a method for transaction processing comprising the steps of receiving transaction information for a transaction and storing the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicating a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12), initiating a recovery process for the transaction (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3) and providing automated coordination of the recovery process using transaction information stored in the central repository. *Aleia et al* fail to

disclose that the transaction information is related to a property unit and generating a security interest document. Ocwen discloses an electronic workflow management system that enables electronic communications with multiple service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a loan which would typically include generating security interest documents and processing the security interest documents.. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include transactions associated with property units as well as receivables such as insurance accounts or other types of receivables such as mortgage and construction loans in view of the teachings of *Ocwen* and to generate and process security interest documents since this is a typical function when processing mortgage loans. One would have been motivated to integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property as taught by Ocwen.

As per **Claims 7 and 8**, *Aleia et al* discloses wherein the recovery process includes a recovery of insurance premiums on behalf of an insurance company (Col. 2, lines 34-58 and Col. 4, lines 33-37). *Aleia et al*, however, fails to specifically disclose wherein the recovery process includes recovery of a property unit including personal property and real property on behalf of a lending party or insurer. *Ocwen* discloses an electronic workflow management system that enables electronic communications with service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a loan saving the user time and money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include the recovery of not only receivables such as insurance accounts or other types of receivables such as

mortgage and construction loans, but also include the foreclosure, default management and recovery of a property unit or personal property in view of the teachings of *Ocwen*. One would have been motivated to integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property as taught by Ocwen.

As per **Claim 10**, *Aleia et al* further discloses wherein the lending party indicates the default condition and initiates the recovery process (Col. 3, line 67-Col. 4 line 3; Col. 4, lines 5-10; Col. 7, lines 18-31 and 41-52 and Col. 12, lines 41-46).

As per **Claim 12**, *Aleia et al* further discloses the method comprising the steps of receiving an inquiry for a status of an account and processing the inquiry using the transaction information stored in the central repository (Col. 12, lines 41-46 and Col. 13, lines 25-27). Although *Aleia et al* discloses that the inquiry is for the status of an account, *Aleia et al* fails to specifically disclose that the inquiry is for the status of a property unit. *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, however, *Aleia et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and provide for an inquiry capability to inquire about the status of a property unit instead of an insurance account in view of the Examiners discussion above.

As per **Claim 13**, *Aleia et al* discloses a transaction processing system comprising a general purpose computer including a memory, CPU and an input/output device (Col. 6, lines 11-23), a data repository coupled to the computer (Col. 6, lines 24-39 and Col. 7, lines 41-51), wherein the memory of the computer includes computer executable means (Col. 7, lines 6-17) to receive transaction information for a transaction and store the transaction information in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52), indicate a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12),

initiate a recovery process for the transaction involving services by be provided by multiple service

providers (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3), receive reporting information from the

multiple service providers electronically over a network (Col. 7, lines 18-31; Col. 12, lines 40-55) and

provide automated coordination of the recovery process by coordinating communications with the multiple

service providers in response to information stored in the central repository. Furthermore, *Aleia et al*

disclose tailoring and directing the specific actions to be taken by external resources, through the

seamless electronic link which provides a dynamic response between internal and external resources

though electronic communication and data transfer (Col. 7, lines 22-28) and the capability to import data

from off-site locations to the present system database in a cut and paste environment (Col. 12, lines 47-

52 and Col. 13, lines 34-35). Although *Aleia et al* does not specifically state that the external resource is

updating the information in the central repository, the Examiner takes Official Notice that it is old and well

known in the art that various methods could be used to import data to a central database from a remote

location and it would have been obvious to one of ordinary skill in the art to allow an individual at a remote

location to access the central database for the purpose of updating the information. The motivation for

allowing an individual at a remote location to access and update the information in a local repository is

provided by *Aleia et al* by indicating the present inventions usefulness is optimizing the actions of

vendors, collection agencies and counsel through the seamless electronic link between internal and

external resources through electronic communication and data transfer.

*Aleia et al* further fail to specifically disclose wherein the transaction is associated with a property

unit including the recovery of the property unit and disposal of the property unit after recovery thereof.

*Ocwen* discloses an electronic workflow management system that enables electronic communications

with service providers to facilitate real estate transactions including loan origination, loan servicing,

construction loan servicing, default management, REO management and products that will enable

workflow management and access to all of the ancillary services necessary to close a real estate

transaction or loan or foreclose on a loan saving the user time and money. It would have been obvious to

one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include the

recovery of not only receivables such as insurance accounts or other types of receivables such as

mortgage and construction loans, but also include the foreclosure, default management, recovery and

disposal of a property unit or personal property in view of the teachings of *Ocwen*. Examiner also takes

Official Notice that it would have been obvious to one of ordinary skill in the art that REO management

includes managing the steps necessary to dispose of a property unit. One would have been motivated to

integrate these functions for the purpose of providing new and more flexible and efficient approaches to

electronic workflow management by allowing service provider professionals electronic access to all of the

ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on

a loan or property and manage the REO property as taught by Ocwen.


As per **Claims 14-15 and 42**, *Aleia et al* further discloses wherein the communication network

includes and LAN as well as fax/modem devices for receiving electronic data transfers from outside

sources and that the access is through telecommunications networks such as telephone networks. *Aleia*

*et al*, however, fails to specifically disclose wherein the communication network includes an Internet

connection. However, Examiner takes Official Notice that it would have been obvious to one of ordinary

skill in the art to utilize an Internet connection or proprietary connections through the telephone network

as described above to connect lending or insuring parties with collection agents since it is well known in

the art that Internet connections are commonly used for business purposes.


As per **Claims 16 and 43**, *Aleia et al* further discloses wherein the computer executable means

includes an application/customer profile information input module, wherein the transaction information can

be received by the application/customer profile input module and stored in the data repository (Col. 7,

lines 45-51 and Figure 1F) and a recovery module, wherein information relating to a recovery of an

account is retrieved from the data repository and written to the data repository (Col. 12 line 61-Col. 13 line

47). *Aleia et al,* however, fails to specifically disclose that the recovery information concerns a property

unit. Although *Aleia et al* discloses that the invention is pertains to insurance receivable accounts, *Aleia*

*et al* also teaches that the method is applicable to other types of receivables as well (Col. 4, lines 33-37).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and provide for information concerning recovery of a property unit instead of an insurance account in view of the suggestion by *Aleia et al* that other types of receivables are applicable to the invention. *Aleia et al*, however, fails to disclose wherein the transaction is associated with a property unit, the transaction information includes information regarding the property unit and the recovery process includes one or more actions specific to the property unit, however, this would have been obvious in view of Ocwen and Examiners previous discussion.

As per **Claim 17**, *Aleia et al* further discloses wherein the recovery module is operable to communicate via a data communication network pre-determined portions of the transaction information to computer systems operated by the service providers (Col. 13, lines 25-47 and Col. 19, lines 1-9 and 25-27).

As per **Claim 18**, *Aleia et al* further discloses wherein the computer executable means further includes a search module, wherein the search module provides communication links to conduct a search of a database and stores the results in the repository (Col. 3, lines 15-20; Col. 6, lines 57-62; Col. 7, lines 40-55).

As per **Claims 19 and 44-45**, *Aleia et al* further disclose a registration module which communicates information regarding the transaction to a public authority (Col. 6, lines 57-65).

As per **Claims 20 and 46**, *Aleia et al* further discloses wherein the computer executable means further includes a documents module which retrieves and generates copies of documents related to the transaction from the repository (Col. 6 line 67-Col. 7 line 5 and Col. 12, lines 41-51).

As per **Claim 21**, *Aleia et al* further discloses wherein the computer executable means further includes a payments module, the payments module providing at least one of payment history and invoice generation relating to the transaction (Col. 13, lines 25-45).

As per **Claims 23 and 54**, *Aleia et al* further disclose providing reports relating to branches, dealers, brokers and other entities involved in various transactions (Col. 12, lines 40-54).

As per **Claim 33**, *Aleia et al* further disclose wherein the transaction information includes predetermined transaction documents and communications with at least one of the multiple service providers includes transmission of the documents (Col. 6 line 66-Col. 7 line 5 and Col. 13, lines 35-48).

As per **Claim 34**, *Aleia et al* further disclose wherein the transaction information includes predetermined transaction documents and communications with at least one of the multiple service providers includes transmission of the documents (Col. 6 line 66-Col. 7 line 5 and Col. 13, lines 35-48).

As per **Claim 41**, *Aleia et al* further disclose conducting a search of a database and storing the results in the data repository (Col. 7, lines 40-55).

As per **Claims 47 and 48**, *Aleia et al* fail to disclose an appraisal module for processing appraisal information relating to the property unit and recording the appraisal information as part of the transaction information; and an inventory sales module. Ocwen discloses that the system includes a workstation for processing appraisal information and REO management. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include transactions such as appraisal information associated with property units as well as receivables such as insurance accounts or other types of receivables such as mortgage and construction loans in view of the teachings of *Ocwen*. One would have been motivated to integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property as taught by Ocwen.

As per **Claim 49**, *Aleia et al* further discloses wherein the transaction information includes customer information about a customer associated with the transaction (Figure 1F).

As per **Claims 50-52**, *Aleia et al* fail to disclose wherein the customer information includes

information regarding outstanding writs or seizure or an adjudication extract module for extracting

information from the repository relevant to a financial institution that is considering entering into a

transaction. *Ocwen* discloses an electronic workflow management system that enables electronic

communications with service providers to facilitate real estate transactions including loan origination, loan

servicing, construction loan servicing, default management, REO management and products that will

enable workflow management and access to all of the ancillary services necessary to close a real estate

transaction or loan or foreclose on a loan saving the user time and money. These functions would

typically include information regarding writs of seizure for a customer and information concerning financial

institutions considering entering into a transaction. It would have been obvious to one of ordinary skill in

the art at the time of applicant's invention to modify *Aleia et al* to include these types of transactions

associated with property units as well as receivables such as insurance accounts or other types of

receivables such as mortgage and construction loans in view of the teachings of *Ocwen*. One would

have been motivated to integrate these functions for the purpose of providing new and more flexible and

efficient approaches to electronic workflow management by allowing service provider professionals

electronic access to all of the ancillary services necessary to collect a receivable, close a real estate

transaction or loan or foreclose on a loan or property as taught by Ocwen.

As per **Claim 60**, *Aleia et al* discloses a transaction processing system comprising a general

purpose computer including a memory, CPU and an input/output device (Col. 6, lines 11-23), a data

repository coupled to the computer (Col. 6, lines 24-39 and Col. 7, lines 41-51), wherein the memory of

the computer includes computer executable means (Col. 7, lines 6-17) to receive transaction information

for a host of financial transactions each of which entails obligations and store the transaction information

in a central repository (Col. 6, lines 33-39 and Col. 7, lines 41-52) and communicate, upon occurrence of

a default for a specific transaction, all information contained in the repository related to the transaction

and is relevant to the default and the services to be provided b the service provider (Col. 6 line 57-Col. 7

line 5; Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3). *Aleia et al*, however, fail to disclose that the

transactions are associated with a property unit. *Ocwen* discloses an electronic workflow management

system that enables electronic communications with service providers to facilitate real estate transactions

including loan origination, loan servicing, construction loan servicing, default management, REO

management and products that will enable workflow management and access to all of the ancillary

services necessary to close a real estate transaction or loan or foreclose on a loan saving the user time

and money. It would have been obvious to one of ordinary skill in the art at the time of applicant's

invention to modify *Aleia et al* to include transactions associated with property units as well as receivables

such as insurance accounts or other types of receivables such as mortgage and construction loans in

view of the teachings of *Ocwen*. One would have been motivated to integrate these functions for the

purpose of providing new and more flexible and efficient approaches to electronic workflow management

by allowing service provider professionals electronic access to all of the ancillary services necessary to

collect a receivable, close a real estate transaction or loan or foreclose on a loan or property as taught by

Ocwen.


As per **Claim 64**, *Aleia et al* discloses a transaction processing system comprising a general

purpose computer including a memory, CPU and an input/output device (Col. 6, lines 11-23), a data

repository coupled to the computer (Col. 6, lines 24-39 and Col. 7, lines 41-51), wherein the memory of

the computer includes computer executable means (Col. 7, lines 6-17) to receive transaction information

for a transaction and store the transaction information in a central repository (Col. 6, lines 33-39 and Col.

7, lines 41-52), indicate a default condition for the transaction (Col. 7, lines 45-51 and Col. 10, lines 3-12),

initiate a recovery process for the transaction involving services by be provided by multiple service

providers (Col. 7, lines 18-31; Col. 9, line 33-Col. 10, line 3), receive reporting information from the

multiple service providers electronically over a network (Col. 7, lines 18-31; Col. 12, lines 40-55) and

providing predetermined business reports generated as a function of the transaction information stored in

the data repository (Col. 12, lines 40-54) and providing automated coordination of the recovery process

using transaction information stored in the central repository. Furthermore, *Aleia et al* discloses tailoring

and directing the specific actions to be taken by external resources, through the seamless electronic link which provides a dynamic response between internal and external resources though electronic communication and data transfer (Col. 7, lines 22-28) and the capability to import data from off-site locations to the present system database in a cut and paste environment (Col. 12, lines 47-52 and Col. 13, lines 34-35). Although *Aleia et al* does not specifically state that the external resource is updating the information in the central repository, the Examiner takes Official Notice that it is old and well known in the art that various methods could be used to import data to a central database from a remote location and it would have been obvious to one of ordinary skill in the art to allow an individual at a remote location to access the central database for the purpose of updating the information. The motivation for allowing an individual at a remote location to access and update the information in a local repository is provided by Aleia by indicating the present inventions usefulness is optimizing the actions of vendors, collection agencies and counsel through the seamless electronic link between internal and external resources through electronic communication and data transfer.

*Aleia et al* further fail to specifically disclose wherein the transaction is associated with a property unit including the recovery of the property unit and disposal of the property unit after recovery thereof. *Ocwen* discloses an electronic workflow management system that enables electronic communications with service providers to facilitate real estate transactions including loan origination, loan servicing, construction loan servicing, default management, REO management and products that will enable workflow management and access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a loan saving the user time and money. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify *Aleia et al* to include the recovery of not only receivables such as insurance accounts or other types of receivables such as mortgage and construction loans, but also include the foreclosure, default management, recovery and disposal of a property unit or personal property in view of the teachings of *Ocwen*. Examiner also takes Official Notice that it would have been obvious to one of ordinary skill in the art that REO management includes managing the steps necessary to dispose of a property unit. One would have been motivated to

integrate these functions for the purpose of providing new and more flexible and efficient approaches to electronic workflow management by allowing service provider professionals electronic access to all of the ancillary services necessary to collect a receivable, close a real estate transaction or loan or foreclose on a loan or property and manage the REO property as taught by Ocwen.

15.      Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733 and *Ocwen* as applied to claim 1 above and further in view of *Taricani, Jr.*, U.S. Patent No. 6,016,479.

As per **Claim 2**, *Aleia et al* discloses wherein the central repository is a database, however, does not specifically disclose that the repository is a relational database. *Taricani*, Jr. discloses a computer based system and computer program product and method for recovering tax revenue and teaches a central repository in the form of a relational database (Col. 4, line 47-Col. 5 line 28 and Col. 6, lines 20-25 and Figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of *Aleia et al* and *Ocwen* and utilize a relational database in view of the teachings of *Taricani, Jr.* since relational databases are commonly used in business methods and systems.

16.      Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Aleia et al*, U.S. Patent No. 5,991,733 and *Ocwen* as applied to claim 13 above and further in view of *Peterson et al*, U.S. Patent No. 5,903,873.

As per **Claim 22**, *Aleia et al* fails to disclose wherein each of the service providers is assigned a pre-determined database access status and the computer executable means further includes an access control module which controls access by the multiple service providers to the data repository. *Peterson et al* discloses a system for registering insurance transactions and communicating the insurance transactions to a home office computer for storage in a data repository and teaches an access control procedure to restrict access to the system to authorized users only (Col. 13, lines 11-34). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of

*Aleia et al* and *Ocwen* and incorporate an access control procedure such as that taught by *Peterson et al*

for restricting access to authorized personnel. It is well known that access control procedures are

commonly used in computerized systems for the sole purpose of restricting access.

17.     Claims 35-40 and 53 is rejected under 35 U.S.C. 103(a) as being unpatentable over Aleia et al,

U.S. Patent No. 5,991,733 and Ocwen Financial Corporation, "Ocwen Financial Corporation Forms

Technology Subsidiary to Provide Software to Mortgage and Real Estate Industries" as applied to claim

34 and 13 above, and further in view of *Peterson et al*, U.S. Patent No. 5,903,873.

As per **Claims 35 and 53**, *Aleia et al* fails to disclose wherein each of the service providers is

assigned a pre-determined database access status and access by each of the service providers is

controlled according to the access status. *Peterson et al* discloses a system for registering insurance

transactions and communicating the insurance transactions to a home office computer for storage in a

data repository and teaches an access control procedure to restrict access to the system to authorized

users only (Col. 13, lines 11-34). It would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the system of *Aleia et al* and *Ocwen* and incorporate an access control

procedure such as that taught by *Peterson et al* for restricting access to authorized personnel. It is well

known that access control procedures are commonly used in computerized systems for the sole purpose

of restricting access.

As per **Claim 36**, *Aleia et al* further disclose wherein the communications between the central

repository and the service providers is real-time (Col. 6, lines 57-65).

As per **Claim 37**, *Aleia et al* further disclose wherein communications between the repository and

the service providers are via a publicly accessible computer network (Col. 6, lines 57-65).

As per **Claim 38**, Aleia et al further disclose wherein communications are performed sequentially whereby relevant information from one service provider is communicated through the repository to another service provider (Col. 3 line 64-Col. 4 line 24; Col. 7, lines 18-27).

As per **Claims 39-40**, *Aleia et al* further disclose communicating instructions to the service providers which incorporate deadlines for the completion of services to be provided, automatically monitoring the status of the service, and providing queue management whereby further action in the recovery process is taken in response to the status of the services (Col. 3 line 64-Col. 4 line 24; Col. 5, lines 18-30; Col. 9 line 33-Col. 10 line 40).

### *Conclusion*

18.     **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

19.     The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

• McCauley et al disclose a method and apparatus for determining an optimal investment plan for distressed residential real estate loans and teach an REO model that considers a projected sales price of the REO property indicating that REO properties are typically disposed of

- Leudders, Dean, R., "Practical REO Management" teaches that effective REO management includes preparing a plan and budget that can provide a road map that assists the management and ultimate sale of the asset

- Sutton et al, "The Process of REO Management" teach that REO management typically includes establishing a plan for the property including disposing of the REO asset.


20.     The prior art previously made of record and not relied upon is considered pertinent to applicant's disclosure.

- Highbloom discloses a system for monitoring the status of individual items of personal property which serve as collateral for securing financing and teaches a method of recording liens

- Norris discloses a method and apparatus for automatic processing of a loan application and includes a application/customer profile module allowing the applicant to enter information that is stored in a database

- McCauley et al discloses a method and system for processing real estate loans based on loan data including personal data relating to a borrower, financial information relating to the borrower's financial position, and loan conditions.

- Ocwen Financial Corporation, "Ocwen Financial Corporation Forms Technology Subsidiary to Provide Software to Mortgage and Real Estate Industries", discloses an advanced mortgage loan servicing, resolution and origination technology available to third parties through software licenses. The software product includes proprietary loss mitigation and loan default management software systems. The system gives real estate and mortgage servicing professionals electronic access to all of the ancillary services necessary to close a real estate transaction or loan or foreclose on a mortgage loan, saving the user time and money.

21.     Any inquiry concerning this communication or earlier communications from the examiner should

be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be

reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim

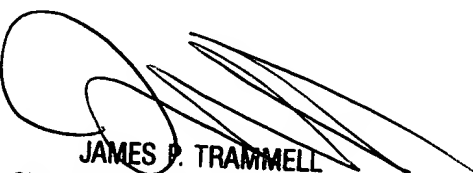Trammell, can be reached on (703) 305-9768.

The Fax phone number for the **UNOFFICIAL FAX** for the organization where this application or

proceeding is assigned is (703) 746-5531 (for informal or draft communications, please label

"PROPOSED" or "DRAFT").

The Fax phone number for the **OFFICIAL FAX** for the organization where this application or

proceeding is assigned is (703) 308-6165 or 6296 (for formal communications intended for entry).

Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the receptionist whose telephone number is (703) 305-3900.

Jwh

20 August 2001

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100